

CALLED TO ORDER BY SUPERVISOR QUIGLEY at 7 PM

SALUTE TO THE FLAG

ROLL CALL BY CLERK

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW -Excused
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES QUIGLEY 3rd

AGENDA ADDITIONS

Mr. Kitchen asked to speak at the end of the Regular Agenda

PUBLIC COMMENT

None

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Councilman Brink motioned to accept the minutes of the April 2nd and April 16th, 2015 meetings.

2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

COMMUNICATIONS

A letter was read from Kings Fire Church regarding parking issues on Sawmill Rd. and asking for help in resolving this matter. It was suggested possibly installing No Parking Signs. Supervisor Quigley advised that a posting by the Church seems to have helped and we will monitor this and bring it back to the Board at a later date, if necessary.

ULSTER TOWN BOARD MEETING
May 21, 2015 AT 7:00 PM

ABSTRACT OF CLAIMS

Councilman Secreto motioned to approve the May 2015 abstracts as presented as submitted, 2nd by Councilman Kitchen.

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

BUDGET MODIFICATIONS

December 2014

GENERAL FUND:	Transfer From	Transfer To	
	A1670.404 Postage	A1622.407 Electric - Sen.Center	1,590.00
	A1620.407 Electric	A1620.409 Repairs & Supplies	610.00
HIGHWAY:	Transfer From	Transfer To	
	D5110.400 Street Program	D5110.440 Blacktop	18,864.00
	D5110.420 Gas & Oil	D5130.200 Equipment	28,150.00
	D9030.800 Soc.Sec.	D5130.200 Equipment	14,000.00
	D9060.800 Hosp.&Dntl.	D5130.200 Equipment	4,500.00
	D9060.802 Hosp.&Dntl.	D5130.200 Equipment	15,700.00
	D9080.804 Employ.Ben.Liab.	D5130.200 Equipment	10,370.00
	D9060.804 State Retirement	D9010.804 State Retirement	2,708.00
	D9030.800 Soc.Sec.	D9030.804 Soc.Sec.	65.00
UL.WATER:	Transfer From	Transfer To	
	SW1.8320.455 Water Cost	SW1.8320.454 Maint.	1,753.00
	SW1.9010.800 State	SW1.9060.800 Hosp.&Dntl.	1,061.00
WASH.AVE.SEWER:	Transfer From	Transfer To	
	SS3.9010.800 State Retirement	SS3.9710.700 Bond Int.	0.01
SPECIAL DISTRICT:	Modify Appropriation SF7.3410.406 (Eddyville Fire Protection-LOSAP)		474.00
EDDYVILLE FIRE	to be funded through SF7.5990 (Approp.Fund Bal.)		
PROTECTION-LOSAP	addl.expense funding for LOSAP payment		

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May 2015

General Fund:

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) electric-Orlando St. Ballfield	118.74
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) return of forfeit fees to Donald Wells (McDugel's Pub) and Eivin Gudmendsen (3 One 7) respectively \$148.00 each	296.00
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) painting supplies,hex nuts-Herzog Supply Co.	660.01
Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) pitcher's plate,score books,marking paint,doz.softballs-Anaconda Sports	713.06

Highway Fund:

Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Mar. Gas Reimb. (Oper.Funds)	6,290.68
Modify Revenue D1270 (Shared Service Charges) and Appropriation D5130.200 (Equipment) checks from Town of Woodstock - town share of used Elgin Pelican Sweeper purchase	12,487.50
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (E.Kng.Vol.Fire Co.)	263.82
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb. Gas Reimb. (Town of Kingston Hwy.Dept.)	1,017.82
Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Feb.&Mar. Gas Reimb. (Ulster Fire Dist.#1)	298.34

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

DEPARTMENT HEAD REPORTS

Highway Department- Mr. Petramale advises that the busy season is here, street sweeping has been done; brush and yard waste has been picked up several times, lawnmowers are out and at work. Parks and Town Buildings are being done once a week; and preparations are being made to begin paving. Seasonal help is starting as the season gears up.

Water Department – Mr. Rose states everything is going well. In the past quarter there have been 10 water leaks and 1 service leak in the Ulster District; Halcyon Park, Spring Lake, Sawkill Road and Cherry Hill everything is good. Bright Acres fire hydrants have been flushed, and there is a busted valve at the bottom of the storage tank that will have to be replaced; leaks have been found in the Glenerie and East Kingston water towers and estimates are needed to repair.

Assessor's Office – Mr. Maloney states that the Town's Tentative Roll was filed on May 1st as required, all building permits were inspected; in addition all the carryovers have been inspected. There is an excellent working relationship with the flow of paperwork between the Building and Assessors Office which is not necessarily the case throughout the County. Mr. Maloney, Mr. Kitchen, Mr. Morrow, Kathy Moniz and Mr. Samuelson met to review the Animal Husbandry Law, and they will have a draft copy available after it is vetted through the Town Attorney.

Mr. Maloney also advised the Town Board that all fowl have been banned from any County Fairs throughout the State by Governor Cuomo.

Under the Hazard Mitigation Plan, Mr. Maloney will be reaching out to the Comprehensive Plan Committee, Councilman Morrow, and he would like to sit with the Supervisor next week to talk about potential projects that should be included in the report.

Town Clerk's Report – Mrs. McDonough reports that the Town Clerk's office has been busy between Tax Collection and Town Clerk fees items. In March, the Town Clerks Office took in just over \$20,000 in various permit and licensing items, including vital statistics, parks, building, and dog licensing. In April, the amount was just over \$24,400. The Park pavilions are just about fully rented for the summer with only a few dates open.

Approximately 92% of taxes have been collected to date, and we will continue collecting until the June 1st deadline at which time we will turn the books and unpaid taxes over to the County. Of the total taxes collected, about 50% are sent to the Town, and 50% are deposited thru the Lock Box in Binghamton.

A search continues for an additional clerk to fill a vacancy.

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NEW BUSINESS

Motion to authorize the hiring of two seasonal workers for the Water Department, Nathaniel Gray at a rate of \$9.00 per hour, effective May 19, 2015; and Jesse Joy at a rate of \$9.00 per hour, effective 6/17/2015.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Presentation and Acceptance of the Town Clerk's Monthly Report as presented by Mrs. McDonough during her Department Head report. Presented for acceptance is March and April 2015's reports.

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Presentation of the Town Clerk's Office Cash Receipt Policy, to be taken up at a future meeting.

Approval of a proposal from the Town of Ulster Kiwanis, for the Town Senior Picnic to be held July 23, 2015 at Robert Post Park. Proposal is complete service for lunch @ \$11.00 pp.

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

OLD BUSINESS

A Resolution Authorizing the Issuance Pursuant to Section 90.00 of the Local Finance Law of Refunding Bonds of the Town of Ulster, Ulster County, New York, to be Designated Substantially “Public Improvement (Serial) Bonds”, and Providing for other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby

Date: May 21, 2015

WHEREAS, the Town of Ulster, Ulster County, New York (hereinafter, the “Town”), heretofore issued Cherry Hill Water District (Serial) Bonds, 1999, pursuant to a bond resolution and a bond certificate (the “1999 Bond Certificate”), to pay the cost of improvements to the Cherry Hill Water District, as further described therein, such Cherry Hill Water District (Serial) Bonds, 1999, maturing or matured on August 1 annually (the “1999 Refunded Bonds”); and

WHEREAS, the Town heretofore issued an aggregate principal amount of \$2,010,800 Glenerie Water District (Serial) Bonds, 2005 Series A to the United States of America, Department of Rural Development (“RD”), pursuant to a bond resolution and a bond certificate dated February 18, 2005 (the “2005A Bond Certificate”), to pay the cost of water system improvements, as further described therein, such Glenerie Water District (Serial) Bonds, 2005 Series A, being dated February 18, 2005 and maturing or matured on November 15 annually (the “2005A Refunded Bonds”); and

WHEREAS, the Town heretofore issued an aggregate principal amount of \$169,200 Glenerie Water District (Serial) Bonds, 2005 Series B to RD, pursuant to a bond resolution and a bond certificate dated February 18, 2005 (the “2005B Bond Certificate”), to pay the cost of water system improvements, as further described therein, such Glenerie Water District (Serial) Bonds, 2005 Series B, being dated February 18, 2005 and maturing or matured on November 15 annually (the “2005B Refunded Bonds”); and

WHEREAS, the Town heretofore issued an aggregate principal amount of \$1,255,000 Public Improvement (Serial) Bonds, 2006, pursuant to a bond resolution and a bond certificate dated December 15, 2006 (the “2006 Bond Certificate”), to pay the cost of the establishment of the Washington Avenue Sewer District, as further described therein, such Public Improvement (Serial) Bonds, 2006, being dated December 15, 2006 and maturing or matured on June 15 annually (the “2006 Refunded Bonds”); and

WHEREAS, the Town heretofore issued an aggregate principal amount of \$504,500 East Kingston Water District (Serial) Bonds, 2007 Series A to RD, pursuant to a bond resolution and a bond certificate dated June 6, 2007 (the “2007 A Bond Certificate”), to pay the cost of water system improvements, as further described therein, such East Kingston Water District (Serial) Bonds, 2007 Series A , being dated June 6, 2007 and maturing or matured on February 6 annually (the “2007 A Refunded Bonds”); and

WHEREAS, the Town heretofore issued an aggregate principal amount of \$457,800 East Kingston Water District (Serial) Bonds, 2007 Series B to RD, pursuant to a bond resolution and a bond certificate dated June 6, 2007 (the “2007B Bond Certificate”), to pay the cost of water system improvements, as further described therein, such Public Improvement (Serial) Bonds, 2007 Series B , being dated June 6, 2007 and maturing or matured on February 6 annually (the “2007B Refunded Bonds”); and

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WHEREAS, the 1999, 2005A, 2005B, 2006, 2007 A and 2007B Refunded Bonds are hereinafter sometimes referred to collectively as the "Refunded Bonds"; and

WHEREAS, it would be in the public interest to refund all, or one or more, or a portion of one or more, of the \$1,001,000 outstanding principal balance of the 1999 Refunded Bonds maturing in 2015 and thereafter, the \$1,735,000 outstanding principal balance of the 2005A Refunded Bonds maturing in 2015 and thereafter, the \$145,500 outstanding principal balance of the 2005B Refunded Bonds maturing in 2015 and thereafter, the \$825,000 outstanding principal balance of the 2006 Refunded Bonds maturing in 2016 and thereafter, the \$450,000 outstanding principal balance of the 2007A Refunded Bonds maturing in 2016 and thereafter, and the \$405,000 outstanding principal balance of the 2007B Refunded Bonds maturing in 2016 and thereafter, each by the issuance of refunding bonds pursuant to Section 90.00 of the Local Finance Law; and

WHEREAS, each of such refundings will individually result in present value savings in debt service as so required by Section 90.00 of the Local Finance Law;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Ulster, Ulster County, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding aggregate principal balance of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$4,800,000 refunding bonds of the Town pursuant to the provisions of Section 90.00 of the Local Finance Law (the "Public Improvement Refunding Bonds" or the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$4,500,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding bond issues. The Public Improvement Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R -15 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Supervisor pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Supervisor shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the Town by lot in any customary manner of selection as determined by the Supervisor. The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the Town shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to The Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Supervisor as Fiscal Agent as hereinafter provided). In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the Town maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Supervisor providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Supervisor as fiscal agent of the Town for the Refunding Bonds (collectively the "Fiscal Agent"). Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount. Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America. The Supervisor, as chief fiscal officer of the Town, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said Town, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the Town, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the Supervisor is also hereby authorized to act as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form. The Supervisor is hereby further delegated all powers of this Town Board with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto. The Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Supervisor, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital

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required by Section 90.00 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.00 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the respective Refunded Bonds, for each of the objects or purposes for which such respective Refunded Bonds were issued is as provided in the Respective Bond Certificate, hereby incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of each of the objects or purposes for which said respective Refunded Bonds were issued in accordance with the provisions of Section 90.00 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, with regard to each of the respective series of Refunded Bonds, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the aggregate of the refundings authorized by this resolution (collectively, the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refundings, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series to refund all of the Refunded Bonds in the principal amount of \$4,500,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Town Board recognizes that the Refunding Bonds may be issued in one or more series, and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the Town will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Supervisor is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all

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powers in connection therewith are hereby delegated to the Supervisor; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.00 of the Local Finance Law. The Supervisor shall file a copy of his certificates determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Town Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Supervisor is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Supervisor shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in the Local Finance Law.

Section 6. The faith and credit of said Town of Ulster, Ulster County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the Town to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the Town shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In the event such bonds are refunded, the Town hereby elects to call in and redeem each respective series of Refunded Bonds which the Supervisor shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, if any, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Town in the manner and within the times provided in the Refunded Bonds. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this

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paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at public or private sale to an underwriter (the "Underwriter") for purchase prices to be determined by the Supervisor, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds. The Supervisor is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the Town providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Supervisor to the Underwriter in accordance with said purchase contract upon the receipt by the Town of said purchase price, including accrued interest.

Section 11. The Supervisor and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Supervisor and all powers in connection thereof are hereby delegated to the Supervisor.

Section 13. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution awarding bid on Whittier Sewer Plant Renovations

Whereas, the Town Board has previously authorized the advertisement of bids for Contract TU-151, Replacement of Primary Clarifier at the Whittier Wastewater Treatment Plant, Whittier Sewer District, and

Whereas, plans and specifications for the project been completed and approved; and

Whereas, public bids for the project were received by the Town of Ulster on May 19, 2015; and

Whereas, seven bids were received and the lowest responsible bidder was Grant Street Construction of Cortland, New York in the amount of \$ 407,646.00, including a bid addition for a new force main.

Therefore Be It Resolved that Contract TU-151, Replacement of Primary Clarifier at the Whittier Wastewater Treatment Plant, be awarded to the lowest responsible bidder, Grant Street Construction, 48 Grant Street, Cortland, New York in the amount of \$407,646.00, and that the Town Supervisor be authorized to enter into a contract with Grant Street Construction on behalf of the Town of Ulster.

By Order of the Town Board, Town of Ulster, this 21st day of May, 2015

MOTION: Councilman Secreto

SECOND: Councilman Brink

	<u>YES</u>	<u>NO</u>
James Quigley, Ill, Supervisor	X	
Joel Brink, Councilperson	X	
Eric Kitchen, Councilperson	X	
Rocco Secreto, Councilperson	X	

Resolution to Retain Brinnier & Larios, P.C. for Professional Services Related to Preparation of Plans and Specifications for Replacement of 4. MG Water Tank located on Easter Chester Street By-Pass

Date: May 21, 2015

RESOLVED, that the Town Board of the Town of Ulster, acting as Commissioners of the Ulster Water District, hereby authorizes the acceptance of a proposal from Brinnier & Larios, P.C., as set forth in the attached proposal, which is incorporated herein, for the preparation of plans and specifications for the replacement of the 4. MG Water Tank located on the East Chester Street By-Pass; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to sign any documents required for this resolution to take effect.

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution to Retain Brinnier & Larios, P.C. for Professional Services Related to Plan, Map and Report, Engineering and Design Services and Preparation of Bid Documents for Construction of a New South Water Tank in the Ulster Water District and the Appropriation of \$84,500.00 from Fund Balance

Date: May 21, 2015

WHEREAS, the existing South Water Tank in the Ulster Water District is in need of repairs and rehabilitation, and studies performed by the Town Engineer show that it is more cost-effective to construct a new Tank then to fix the old tank; and

WHEREAS, pursuant to General Municipal Law § 103, contract documents and bid specifications must be prepared for the purpose of soliciting competitive bids for the construction of a new Tank; and

WHEREAS, the Town Board determines that the construction of a new Tank is a rehabilitation or reconstruction of a facility in kind and is a Type II action pursuant to 6 NYCRR 617.5(c)(2), and is exempt from environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) and Local Law No. 6 of 1992.

NOW, THEREFORE, BE IT RESOLVED:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board hereby accepts, confirms and adopts the scope of work to be performed in the construction of a new water tank to replace the existing South Water Tank.
3. The Town Engineer, Brinnier & Larios, P.C. is directed to promptly prepare bid specifications, contract documents, and advertise the same for competitive bidding pursuant to General Municipal Law § 103, and the codes, rules and regulations of the Town of Ulster, and to report to the Town Board the results of such bidding.
4. All sealed bids shall be submitted to the Town Clerk in accordance with the bidding instructions and shall be opened by the Town Clerk at the time set forth in the notice to the bidders.

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

5. After receipt of the bids, the Town Board shall award the contract for the project in accordance with General Municipal Law §103, reserving the right to reject any and all bids in accordance with applicable law.

6. All costs associated with the preparation of bidding documents and solicitation and review of bids shall be charged against Budget Line SWI.8320.400.

7. The amount of \$84,500 from Fund Balance is hereby appropriated for the work described in this resolution.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution to Retain Brinnier & Larios, P.C. for Professional Services Related to Preparation of Feasibility Study for the Construction of a Sanitary Sewer System serving the greater Sawkill Road corridor from I-587 to Farm to Market Road

WHEREAS, the Town of Ulster Town Board is exploring the possibility of expanding sanitary sewer service along the Sawkill Road corridor from Interstate 587 to Farm to Market Road; and

WHEREAS, it is prudent to have a feasibility study generated by an engineering firm to see if sanitary sewer service along the Sawkill Road corridor is physically and economically feasible; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ulster, hereby authorizes the acceptance of a proposal from Brinnier & Larios, P.C., for the sum of \$7,500.00, for a feasibility study concerning sanitary sewer service along the Sawkill Road corridor; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to sign any documents required for this resolution to take effect.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

Resolution authorizing an extension of the Site Plan Approvals for Sawkill Meadow Apartments, SBL 48.014-2-32.42 from 2015 to 2019 in exchange for payment of \$7,500.00 to be used to pay for the Sawkill Road Sewer Feasibility Study

WHEREAS, on April 18, 2005, the Ulster Town Board approved the application by Ed Hill, Jr. to construct 46 apartment units at 2 Farm to Market Road; and

WHEREAS, pursuant to former Ulster Town Code Section 145-11(A), construction of an approved site plan shall be commenced within twelve (12) months from the date of approval, or else the approval shall expire; and

WHEREAS, construction of the approved site plan did not commence prior to April 18, 2006; and

WHEREAS, the applicant has routinely appeared before the Town Board of the Town of Ulster to ask for, and receive, a one (1) year extension of the site plan approval; and

WHEREAS, the Town of Ulster Town Board, a duly convened meeting thereof, on August 7, 2014, granted a one (1) year extension of the site plan approval as follows: the approval granted by the Town Board on April 18, 2005 shall be deemed to have expired unless construction of the approved development shall be actually commenced no later than August 7, 2015; and

WHEREAS, construction of the approved site plan has not commenced and is not expected to commence by August 7, 2015; and

WHEREAS, Ed Hill, Jr. is requesting a four (4) year extension of the site plan approval; and

WHEREAS, the Ulster Town Board has determined it is in the best interest of the Town of Ulster to extend the site plan approvals; and

WHEREAS, Ulster Town Code Section 145-14 grants the Town Board the power to vary or waive the provisions of Chapter 145, where, in its judgment, the circumstances justify such variance or waiver upon such terms and conditions as it may deem appropriate provided that such variation and/or waiver promotes the health or general welfare and orderly growth; now therefore, be it

RESOLVED, that the site plan approval heretofore granted on April 18, 2005, shall be amended as follows: the approval granted by the Town Board on April 18, 2005 shall be deemed to have expired unless construction of the approved development shall be actually commenced no later than August 7, 2019; and be it further

RESOLVED, that this resolution shall take effect upon payment within thirty (30) days by Ed Hill, Jr. of any applicable extension fees, plus the sum of \$7,500.00 which the Town of Ulster will allocate towards payment of a Sawkill Road Sewer Feasibility Study.

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution Establishing Fund Balance Policy

WHEREAS, the Government Accounting Standards Board ("GASB") has adopted Statement No. 54, a standard for governmental fund balance reporting and governmental fund type definitions; and

WHEREAS, the town auditors, and Town Supervisor, recommend that the Town consider adopting a "fund balance" policy; and

WHEREAS, the purpose of such "fund policy" would serve as a framework for consistent operations and appropriate reporting as to non-spendable, spendable, restricted, committed, assigned and unassigned fund balances, improve the financial management of the Town, and provide stability and consistency through change and turnover of elected officials;

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby adopts the attached "Fund Balance Policy," and be it further

RESOLVED, that an annual reporting of fund balances as classified in accordance with GASB 54 shall be included in the annual audited financial statements of the Town.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

Motion to set a Public Hearing for Local Law 1 of 2015, for a proposed local law providing for the Repeal of Section 39-5 of Chapter 39 of the Town Code; and the Adoption of a New Section 39-6 of Chapter 39 of the Town Code, updating Police Department Rules. Public Hearing to be set for Thursday, June 4, 2015 at 7:15 PM

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to go to public bid for Container Rental and Container Transport Services for the Town of Ulster Transfer Station

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution Authorizing the Town Supervisor to File the Appropriate Government Efficiency Plan Documents with the New York State Division of Budget for Compliance with the Tax Cap Requirements for 2016

WHEREAS, Governor Andrew Cuomo and the New York State Legislature enacted the Property Tax Freeze Credit to provide property tax refunds to homeowners as part of the 2014-2015 State Budget; and

WHEREAS, the new law encourages local governments to generate long-term tax relief for taxpayers by sharing services, consolidating or merging, and demonstrating and implementing operational efficiencies; and

WHEREAS, in year one of the program, which is 2015 for local governments, homeowners will receive the Freeze Credit if their local government stays within the property tax cap; and

WHEREAS, in year two of the program, which is 2016 for local governments, homeowners will receive the Freeze Credit for property taxes from any taxing jurisdiction in which the homeowner resides that stays within the property tax cap and puts forward a State-approved Government Efficiency Plan

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

demonstrating savings equivalent to one percent of their property tax levies in each of the following three years; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Ulster seeks to ensure that Town homeowners will receive the Freeze Credit as part of this new State law; and

BE IT FURTHER RESOLVED that the Town of Ulster did not exceed its designated property tax cap for fiscal year 2015 and memorializes that it has no intention of exceeding the cap for fiscal year 2016, which if exceeded would disqualify the town from participation in the Property Tax Cap Freeze Credit Program; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Ulster hereby authorizes the Town Supervisor of the Town of Ulster to file the appropriate and required documents with the New York State Division of Budget so that Town residents may receive the Freeze Credit for 2016.

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	<i>- Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution Approving Extension of time for issuance of a Special Permit for Seven Greens

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by Norwich Management, LLC (with the consent of Ulster Senior Citizen Associates (owner)) seeking *site plan amendment* and *special use permit* approval to develop 24 new residential units (8 units in one building and 16 dwelling units in another building) on the 15-acre site, which presently contains 125 low-income senior residential units with associated parking spaces and pedestrian walkways throughout the complex; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Site Plan Application* prepared by Chazen Engineering & Surveying, P.C, dated 3/16/15;
 - *Written Narrative* prepared by Chazen Engineering & Surveying, P.C, dated 3/16/15;
 - *Site Improvement Narrative* prepared by Chazen Engineering & Surveying, P.C, dated 3/16/15;
 - *SEQRA Short EAF Part 1* prepared by Chazen Engineering & Surveying, P.C, dated 3/16/15;
 - *Site Plan Consent Form sign by David Carlen, Managing Member of Owner dated 3/16/15;*
 - *Map of Existing Conditions* prepared by Chazen Engineering & Surveying, P.C, dated 10/31/14;
 - *Site Demolition Plans* prepared by Chazen Engineering & Surveying, P.C, dated 12-4-2014;
 - *Site Layout and Landscaping Plans* by Chazen Engineering & Surveying, P.C, dated 12-4-2014;
 - *Site Grading Plans* prepared by Chazen Engineering & Surveying, P.C, dated 12/4/14; and
 - *Proposed Bldg. Addition Overall Layout Plan* by Chazen Eng. & Surveying, P.C, dated 12/4/14.
-
- *Title Sheet* prepared by Chazen Engineering & Surveying, P.C, dated 04/16/15;
 - *Site Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, dated 04/16/15;
 - *Site Layout and Landscaping Plans* by Chazen Engineering & Surveying, P.C, 04/16/15; and

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- *Site Grading, Drainage and Utility Plan* by Chazen Engineering & Surveying, P.C, dated 04/16/15.
- *Title Sheet* prepared by Chazen Engineering & Surveying, P.C, dated 05/07/15;
- *Site Removals Plan* prepared by Chazen Engineering & Surveying, P.C, dated 05/07/15;
- *Site Layout and Landscaping Plans* by Chazen Engineering & Surveying, P.C, 05/07/15;
- *Site Grading, Drainage and Utility Plan* by Chazen Engineering & Surveying, P.C, dated 05/07/15;
- *Site and Landscaping Details* by Chazen Engineering & Surveying, P.C, dated 05/07/15;
- *Storm Water Details prepared* by Chazen Engineering & Surveying, P.C, dated 05/07/15;
- *Sanitary Sewer Details prepared* by Chazen Engineering & Surveying, P.C, dated 05/07/15;
- *Water System Details* prepared by Chazen Engineering & Surveying, P.C, dated 05/07/15; and
- *Erosion & Sediment Control Details* by Chazen Engineering & Surveying, P.C, dated 05/07/15.
-

WHEREAS, the Town of Ulster Town Board has the authority to approve the Site Plan Amendment since more than 2,500 SF of new gross floor area is proposed with this action; and

WHEREAS, the Town of Ulster Town Board has the authority to approve the Special Permit request for this action following the holding of a public hearing; and

WHEREAS, the Town Board, as Lead Agency for this action held a public hearing on this matter at its April 2, 2015 meeting; and

WHEREAS, the public hearing was opened and closed, with the Town Board taking no other action and giving it *62 days from the close of the public hearing, or until June 3, 2015, to make its final decision on the Special, unless there was mutual consent to extend this time period; and*

WHEREAS, the Town Board received a letter from David Carlen, Managing Member of Guilford Ulster, LLC, consenting to extending the review period on the Special Permit until July 2, 2015 to allow the applicant and the Town Board time to address some technical issues to their special permit and site plan application; and

WHEREAS, the Town Board concurs that such extension of time is warranted.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board hereby gives its mutual consent to extending the time period for making a final decision on the Special Permit application until July 2, 2015.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilman Morrow	- Excused
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

**Resolution for Conditional Negative Declaration for SEQRA for Begnal Motors, LLC
Development; SBL 48.13-2-20, Route 28 Kingston, NY**

WHEREAS, the Town of Ulster Planning Board and its Town Board and its consultant planner have reviewed an application by Begnal Realty, LLC with the consent of Wky Wong, Inc. (owner) seeking *Site Plan* approval to develop a automotive sales and service center on the subject site, which is located at 129-131 NYS Route 28, opposite the Johnson Ford dealership; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Site Plan Narrative* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated 2/5/2015;
- *Site Plan Application* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated 2/5/2015;
- *Site Plan Consent Form* signed by Wky Wong Inc., dated February 4, 2015;
- *SEQR Full EAF Part 1* by Brian Begnal, Member Begnal Realty, LLC. dated 2/5/2015;
- *Site Photographs* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated 2/5/2015;
- *Existing Conditions Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C., 2/5/2015;
- *Proposed Site Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated 2/5/2015;
- and
- *Proposed Grading Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated 2/5/2015.

- *Cover Sheet* by Brinnier & Larios (B&L), Engineering & Land Surveying, P.C. dated April 2015;
- *Existing Conditions Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated April 2015;
- *Demolition Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated April 2015;
- *Phase 1-3 – Site Layout* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated April 2015;
- *Phase 1-3 – Grading Plan* by Brinnier & Larios, Eng. & Land Surveying, P.C. dated April 2015;
- *Phase 1&3 – Site Utilities* by Brinnier & Larios, Eng. & Land Surveying, P.C. dated April 2015;
- *Phase 1 – Erosion & Sediment Control* by B&L, Eng. & Land Surveying, P.C. dated April 2015;
- *Site Lighting/Photometric Layout* by B&L, Engineering & Land Surveying, P.C. dated April 2015;
- *Fire Apparatus Access Plan* by B&L, Engineering & Land Surveying, P.C. dated April 2015;
- *Details prepared* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated April 2015;
- *Floor Plan prepared* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated April 2015;
- *Architectural Elevations* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated April 2015
- *Landscaping Plan prepared* by B&L, Eng. & Land Surveying, P.C. dated April 2015;
- *Vehicle Evacuation Plan prepared* by B&L, Eng. & Land Surveying, P.C. dated May 2015;
- *Site Lighting/Photometric Layout* by B&L, Engineering & Land Surveying, P.C. dated May 2015;
- and
- *Segmented Retaining Wall Profile* by B&L, Eng. & Land Surveying, P.C. dated May 2015; and
- *SEQR Full EAF Part 2* by Alan J. Sorensen, AICP, Town Planner dated 4/20/2015.

WHEREAS, the Town of Ulster Town Board has the authority to approve the Proposed Action since more than 2,500 SF of new gross floor area is proposed with this Site Plan application; and

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

WHEREAS, the Town of Ulster Planning Board and Town Board, upon review of the SEQR Full EAF Part 1, determined the Proposed Action was an *Unlisted Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, the Town Board at its February 19th meeting declared its intent to be Lead Agency and circulated notice of its intent to other Involved Agencies including: Ulster County Department of Health (Approval of Water System Modifications), NYSDEC (General Permit for Construction Activities, SWPPP and SPDES Permit); Zoning Board of Appeals (Lighting Level Issue); and the NYSDOT (Site Access); and

WHEREAS, Interested Agencies included the Ulster County Planning Board and Town of Ulster Planning Board; and

WHEREAS, the Town Board received no objections to its Lead Agency status and is the Lead Agency for this Unlisted Action-Coordinated review of the Begnal Motors application; and

WHEREAS, based upon the Town of Ulster Town Board's through review of the SEQR Full EAF Part 1 (prepared by applicant) and Full EAF Part 2 (prepared by the Town Planner); along supporting Site Plan drawings and details; determined the Proposed Action would require the preparation of a full Stormwater Pollution Prevention Plan (SWPPP) to mitigate potentially significant adverse impacts along with compliance with all applicable regulations concerning development within a designated floodplain.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board has determined the Proposed Action described above will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby adopts a SEQR *Conditioned Negative Declaration* with the condition requiring the preparation and acceptance of a SWPPP for the Proposed Action and compliance with all applicable regulations concerning development within a designated floodplain.

MOTION: Councilman Secreto

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

Councilman Kitchen asked to read a letter about 2 of our officers getting awards tonight at the Police Chief's Dinner.

The letter was from Chief Cruise referring to awards for acts of heroism and exceptional bravery at risk to themselves in the performance of their duties. Two of our Officers will be getting awards tonight at the dinner. Sergeant James Seyfarth and Officer David Kimble were presented with Awards for Meritorious Service and Heroism for acts performed in performance of duty on the July 30, 2014 at approximately 8 AM.

Motion to issue the Pride of the Town Award to each of the above Officers at the next Town Board Meeting.

MOTION: Councilman Brink

SECOND: Councilman Secreto

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

PUBLIC COMMENT

Mr. Berardi, a Town resident asked about the extension to Seven Greens and the issue of density. This will be addressed by the Town Planning Board during deliberations. The extension is granted until July 2, 2015.

Bob Henninger of Carle Terrace in the Town spoke about traffic conditions down the hill onto 9W (at the location of Dallas Hot Weiners). He stated there are cars parking into the road and that there is no definition of parking areas in relation to road areas. He would like to see sidewalks on Lake Road in front of the Hair Stylist business, and curbing along parking areas on Carle Terrace. He further stated he believes the parking area is not long enough for cars to park.

Mr. Henninger will provide the Town Clerk's Office with copies of his letter and e-mail pictures of the parking situation. The Town Board will take it under advisement with the Building Department.

Mr. Jim Washam a resident of Carle Terrace would like to echo Mr Henningers comments, but in addition there is a problem getting out to travel east on 9W and there is going to be a bad accident there. He would like a lighting sequence change, or a traffic light be installed at Carle Terrace.

ULSTER TOWN BOARD MEETING

May 21, 2015 AT 7:00 PM

Motion to have a letter sent to NYS Department of Transportation, Regional Traffic Engineers in Poughkeepsie to have a traffic study done at the intersection of Carle Terrace and Route 9W.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to proceed into Executive Session at 7:45 pm for the purposes of reviewing the Tax Litigation Reports for the 2014-2015 tax years.

MOTION: Councilman Secreto

SECOND: Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Town Board returned from Executive Session at 8:19 pm, no action recommended, no action taken.

Councilman Kitchen moved to adjourn the meeting at 8:19 PM

2nd by Councilman Brink

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
<i>Town Councilman Morrow</i>	- <i>Excused</i>
Town Councilman Secreto	- Aye
Supervisor Quigley	- Aye

CARRIED

Respectfully Submitted by
Linda McDonough
Ulster Town Clerk